REMARKS/ARGUMENTS

Applicants thank the Examiner for the courtesies extended to the undersigned during the telephonic interview on June 26, 2006, and for a thorough review of the above-referenced application. As discussed during the interview and as explained more fully below, Applicants have amended independent Claims 1, 14, 20, 26, 28, and 34, as well as dependent Claims 23, 24, 25, 27, 31, 32, 33, and 35 to more clearly define the claimed invention. Applicants request reconsideration of Claims 1-35 in view of the Amendments and Remarks set forth herein, which Applicants consider to be a summary of the matters discussed during the interview.

Invention

The present invention is directed to a system for monitoring access to a transport container. The system includes a monitoring unit secured to the transport container and at least one sensor in operable communication with the monitoring unit. The sensor is structured to detect incidents of access to the transport container and to communicate data corresponding to the incidents to the monitoring unit. The system includes a data key configured to communicate with the monitoring unit. The data key is capable of being configured as an activation key and/or a deactivation key. The activation key is configured to activate the monitoring unit so that the monitoring unit begins to monitor access to the transport container. The deactivation key is configured to deactivate the monitoring unit. The monitoring unit is configured to communicate data corresponding to the access incidents to the deactivation key.

Regarding the activation key, a data key is configured into an activation key by communicating an activation code to the data key. The activation code comprises a code associated with the operator of the interface unit configuring the data key as an activation key. Thus, the activation code allows the transport company to identify the individual responsible for securing the transport container and activating the monitoring unit.

Regarding the deactivation key, a data key is configured as a deactivation key by communicating a deactivation code to the data key. The deactivation code comprises a code associated with the operator of the interface unit configuring the data key as a deactivation key.

Thus, the deactivation code allows the company to identify the individual responsible for opening the transport container and deactivation the monitoring unit.

The Objection to the Drawings Should be Withdrawn

The Examiner indicated in the Office Action that the drawings are objected to because, with respect to Figures 1-4, blank blocks should be labeled. Applicants respectfully disagree and submit that the drawings are in compliance with 37 CFR 1.84. Specifically, 37 CFR 1.84(p)(5) indicates that reference characters mentioned in the description must appear in the drawings. As stated in 37 CFR 1.84(p)(1), numerals are the preferred form of reference characters. Accordingly, Applicants respectfully submit that the objection directed to the drawings should be withdrawn.

The Rejections Directed to Claims 1-35 Are Overcome

The Office Action rejected Claims 20-22, 26, 28-30, and 34 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,917,433 to Keillor et al. ("the Keillor patent"). The Office Action rejected Claims 1-19, 23-25, 27, 31-33, and 35 under 35 U.S.C. 103(a) as being obvious over the Keillor patent in view of U.S. Patent No. 6,137,402 to Marino ("the Marino patent"). To the extent the rejections would be asserted against Claims 1-35, as amended, Applicants respectfully traverse.

During the telephonic interview, the Examiner commented favorably with regard to the amendments proposed by Applicants to independent Claim 1, subject to a further search by the Examiner. As discussed below, Applicants also have made similar amendments to the remaining independent claims.

A. The Rejections Under 35 U.S.C. 102(b) Are Overcome

The Keillor patent discloses an asset monitoring system and method that provides a central station **12** with information relating to a container **16**, such as enclosed trailers **16a**. (See Col. 5, lines 21-39). According to the Keillor patent, an asset monitor **14** is associated with a respective container **16**. (See Col. 5, lines 50-52). The asset monitor **14** also includes a sensor

interface **20** that provides communications with at least one sensor **22**, which is also associated with the container **16**. The sensors are configured to monitor various conditions of the container **16** and to provide a signal back to the central station **12**. (See Col. 6, line 62 – Col. 7, line 1). Exemplary sensors include those that measure temperature within the container **16** and those that measure a container door position. The sensors may also include audio and video sensors for providing auditory and visual signals representative of the interior of the container **16**. (See Col. 7, line 1-11). Additionally, the asset monitor **14** may include a position determining means, such as a GPS system. (See Col. 7, line 66 – Col. 8, line 10). As a result, the systems and methods of the Keillor patent may be used to monitor the status of cargo and to determine the times when the cargo was loaded and delivered. (See Col. 15, line 54-56).

As discussed during the interview, Applicants have amended independent Claim 20 to recite an executable portion for identifying an activation code from an activation key and identifying a deactivation code from a deactivation key. Applicants have amended independent Claim 26 to recite an executable portion for communicating an activation code and data corresponding to the contents of the transport container to an activation key and for communicating a deactivation code to a deactivation key. Applicants have amended independent Claim 28 to recite identifying an activation code from an activation key and identifying a deactivation code from a deactivation key. Applicants have amended independent Claim 34 to recite communicating an activation code and data corresponding to the contents of the transport container to an activation key and communicating a deactivation code to a deactivation key.

It was discussed during the interview that none of the cited references teach or suggest a monitoring system utilizing an activation key having an associated activation code and a deactivation key having an associated deactivation code, as recited in amended independent Claims 20, 26, 28, and 34. This feature is advantageous since the activation code on the activation key and the deactivation code on the deactivation key enable the transport company to identify the individual responsible for securing the transport container and activating the monitoring unit and the individual responsible for deactivating the monitoring unit and opening the transport container, respectively, thereby further increasing the security associated with the container. Thus, Applicants respectfully submit that independent Claims 20-22, 26, 28-30, and

34, as amended, and the claims depending therefrom, include recitations that patentably distinguish the claimed invention over the cited reference.

B. The Rejections Under 35 U.S.C. 103(a) Are Overcome

The Office Action rejected Claims 1-19, 23-25, 27, 31-33, and 35 under 35 U.S.C. 103(a) as being obvious over the Keillor patent in view of the Marino patent. The Marino patent discloses a method of arming a security system that includes sensors, even when there is a fault status reported by one of the sensors. (See Col. 2, line 4-8). The system may include such sensors as a motion detector sensor, glass break detector sensor, shock sensor, wireless key fobs, and/or panic pendants. (See Col. 1, lines 55-59). As part of the method of securing a security system, a controller **22** receives commands from a keypad **20**. According to the Marino patent, the commands can be to arm or disarm the system. (See Col. 2, lines 46-47).

As discussed during the interview, Applicants have amended independent Claim 1 to recite at least one activation key configured to communicate with the monitoring unit and being configured by the interface unit to activate the monitoring unit using an activation code and at least one deactivation key configured to communicate with the monitoring unit and being configured by the interface unit to deactivate the monitoring unit using a deactivation code. Applicants have amended independent Claim 14 to recite at least one data key configured to communicate with the monitoring unit, the at least one data key is capable of being configured an activation key or a deactivation key, wherein the activation key is configured to activate the monitoring unit using an activation code and the deactivation key is configured to deactivate the monitoring unit using a deactivation code.

It was discussed during the interview that none of the cited references teach or suggest a monitoring system utilizing a data key that can be configured as an activation key having an associated activation code or a deactivation key having an associated deactivation code. As discussed above, this feature is advantageous since the activation code on the activation key and the deactivation code on the deactivation key enable the transport company to identify the individual responsible for securing the transport container and activating the monitoring unit and the individual responsible for deactivating the monitoring unit and opening the transport

container, respectively, thereby further increasing the security associated with the container. For the foregoing reasons, Applicants respectfully submit that independent Claims 1, 14, 20, 26, 28, and 34, and the claims depending therefrom, also include recitations that patentably distinguish the claimed invention over the cited references.

CONCLUSION

In view of the foregoing Remarks, Applicants respectfully submit that Claims 1-35 of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner La is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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